

**S.C.R. 23** - By Brooks, Jones of Harris, Williams: Memorial resolution for Dr. Walter A. Quebedeaux, Jr.

**S.R. 75** - By Adams: Memorial resolution for M. A. (Buddy) Anderson.

**S.R. 78** - By Brooks: Memorial resolution for Robert W. Kneebone.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 76** - By Adams: Extending congratulations to Tim Baldree and Jerry Mansfield.

**S.R. 77** - By Ogg: Extending welcome to Anne and Don Gravink and Kathy, Jay, and DeWitt Gravink.

**S.R. 81** - By Mengden, Ogg: Extending congratulations to 1976 Strake Jesuit College Preparatory Fighting Crusader Football Team.

**S.R. 83** - By Schwartz: Extending welcome to Mark Snider, Lynn Gibson, and Jimmy Arnold.

#### **ADJOURNMENT**

On motion of Senator Aikin the Senate at 11:38 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### **NINTH DAY**

(Thursday, January 27, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Jones of Harris, Ogg, Schwartz.

A quorum was announced present.

The Right Reverend Archemandrite Mark Pemberton, St. Elias Eastern Orthodox Church, Austin, offered the invocation as follows:

O Lord, who blesses those who bless Thee, and sanctifies those who put their trust in Thee: Save Thy people and bless Thine inheritance. Preserve the fullness of Thy church. Sanctify those who love the beauty of Thy house; glorify them in return

by Thy divine power, and forsake us not who put our hope on Thee. Give peace to Thy world, to Thy churches, to Thy ministers, to all those who exercise civil authority, to all legislators, and to all Thy people. For every good gift and every perfect gift is from above, coming down from Thee, the Father of Lights, and unto Thee do we ascribe glory; for Thou art from everlasting to everlasting, Thou art Redeemer and Benefactor, Thou art the spirit which directs our lives, now and ever and unto ages of ages. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### LEAVES OF ABSENCE

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Jones of Harris was granted leave of absence for today on account of important business on motion of Senator Parker.

Senator Ogg was granted leave of absence for today on account of important business on motion of Senator Williams.

### REPORTS OF STANDING COMMITTEES

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

S.B. 104  
S.B. 126  
S.B. 141  
S.B. 206  
S.B. 330 (Amended)

Senator Sherman submitted the following report for the Committee on Natural Resources:

S.B. 24  
S.B. 25  
S.B. 96  
S.B. 28  
S.J.R. 19  
S.B. 331

Senator Moore submitted the following report for the Committee on State Affairs:

S.J.R. 2  
S.B. 38  
S.C.R. 3  
S.B. 187  
C.S.S.B. 37 (Read first time)

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 4**

On motion of Senator Mengden and by unanimous consent, Senator Hance will be shown as Co-author of **S.C.R. 4**.

**CO-AUTHOR OF SENATE BILL 375**

On motion of Senator Hance and by unanimous consent, Senator Doggett will be shown as Co-author of **S.B. 375**.

**CO-AUTHOR OF SENATE BILL 379**

On motion of Senator Hance and by unanimous consent, Senator Doggett will be shown as Co-author of **S.B. 379**.

**CO-AUTHOR OF SENATE BILL 84**

On motion of Senator Doggett and by unanimous consent, Senator Clower will be shown as Co-author of **S.B. 84**.

**CO-AUTHOR OF SENATE BILL 305**

On motion of Senator Doggett and by unanimous consent, Senator Clower will be shown as Co-author of **S.B. 305**.

**CO-AUTHORS OF SENATE BILL 54**

On motion of Senator Doggett and by unanimous consent, Senators Brooks, Longoria, Ogg, Traeger, Andujar, Clower and Mengden will be shown as Co-authors of **S.B. 54**.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 391** by Hance Economic Development  
Relating to certain medical malpractice protection provided by The University of Texas System.

**S.B. 392** by Santiestehan Human Resources  
Relating to registered nurses and the practice of professional nursing; defining terms; providing for the regulation of registered nurses and the practice of professional nursing; establishing the Texas Board for Professional Nursing and providing for its composition, funding, organization, operation, powers, duties and responsibilities in carrying out the provisions of the Professional Nursing Practice Act; providing for professional nursing standards of education, competence and ethical conduct necessary to assure the public health, safety and welfare; providing for licensing, speciality certification and continuing professional nursing education; prohibiting certain acts and conduct; providing for specific terms of professional identification for professional nurses; making special provisions for professional nurses licensed on the effective date of this act; making certain exceptions to application of the act; revising all laws pertaining to the licensing regulation of professional nurses and professional nursing; providing severability; providing

certain penalties and enforcement procedures; providing a repealing clause; and, declaring an emergency.

**S.B. 393** by Brooks State Affairs  
Relating to the Battleship Texas Commission; amending Sections 2, 6, and 13, Chapter 139, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6145-2, Vernon's Texas Civil Statutes).

**S.B. 394** by Brooks Human Resources  
Relating to the licensing and regulation of clinical laboratory personnel; and providing penalties.

**S.B. 395** by Brooks Human Resources  
Amending Section 80 of Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (codified as Article 5547-80 of Vernon's Texas Civil Statutes); authorizing the head of a mental hospital to discharge a resident patient absent without authority from a state hospital for the mentally ill for a continuous period of eighteen months; and declaring an emergency.

**S.B. 396** by Brooks Human Resources  
Relating to the exemption of the TYC facilities for children committed to the Texas Youth Council for having engaged in delinquent conduct from the provisions of the Child Care Licensing Act, amending Chapter 708, Acts of the 64th Legislature, Regular Session, 1975, (Article 695a-3, Vernon's Texas Civil Statutes); and declaring an emergency.

**S.B. 397** by Brooks Human Resources  
Relating to the authority of a Juvenile Court to commit children in need of supervision to the Texas Youth Council amending Vernon's Annotated Civil Statutes, Article 5143d by repealing Section 12(b) and (c) and amending the T.C.A., Family Code Sections 51.03 and 54.04; and declaring an emergency.

**S.B. 398** by Mengden Economic Development  
Relating to the number of instructors a private beauty culture school is required to have on its staff; amending Section 27, Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 8451a, Vernon's Texas Civil Statutes).

**S.B. 399** by Mengden Economic Development  
Relating to the issuance of warning tickets for certain speeding violations and to the use of convictions of the violations in determining insurance availability and premiums; amending Section 169B, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), by adding Subsections (k) and (l).

**S.B. 400** by Doggett Jurisprudence  
Relating to regulation of monopolies, contracts, combinations, or conspiracies in restraint of trade or commerce; providing penalties; amending Sections 15.01, 15.02, 15.04, and 15.33, Business & Commerce Code, as amended, and adding Sections 15.35 and 15.36.

**S.B. 401** by Truan, Farabee, Williams Economic Development  
Relating to certification of manufacturer, assembler, and installers of boilers, pressure vessel or their appurtenances under the American Society of Mechanical Engineers Boiler and Pressure Vessel Code; adding Section 4b to Chapter 436,

General Laws, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes).

**S.B. 402** by Mauzy Education  
Recognizing the educational and public service resources represented by the public television stations of Texas; declaring public policy regarding these stations; charging the Coordinating Board, Texas College and University System, with the appropriate development of public television in Texas; defining its special duties and powers for this purpose; adding Subchapter H to Chapter 51, Texas Education Code.

**S.B. 403** by Mengden Jurisprudence  
Relating to the enforcement of certain property settlement agreements made on divorce or annulment; amending Chapter 3, Family Code, as amended, by adding Section 3.635.

**S.J.R. 35** by Mengden, Clower State Affairs  
Proposing to amend Articles III and XVII of the Texas Constitution so as to reserve in the people the powers of initiative and referendum.

#### SENATE RESOLUTION 87

Senator Moore offered the following resolution:

**S.R. 87**, Inviting Paul Ott of the National Wildlife Federation to visit the Senate on Monday, January 31, 1977.

The resolution was read and was adopted.

#### MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were filed with the Secretary of the Senate.

Austin, Texas 78711  
January 26, 1977

The Honorable William P. Hobby  
Lieutenant Governor  
President of the Senate  
Austin, Texas

The Honorable Bill Clayton  
Speaker of the House of Representatives  
Austin, Texas

Honorable Members of the Sixty-fifth  
Legislature  
Austin, Texas

Honorable Lt. Governor, Honorable Speaker and Honorable Members of the Sixty-fifth Legislature:

Today I am submitting as an emergency matter the accompanying measure under the provisions of Article III, Section 5, of the Constitution of the State of Texas.

I urge your prompt consideration and enactment of this measure.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

TO THE MEMBERS OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

Pursuant to the provisions of Section 5, Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

Senate Bill 331, authorizing the Railroad Commission to transfer a maximum of \$188,974 from their 1977 fiscal year appropriation for Oil and Gas Regulation to their appropriation for Natural Gas Utilities.

The enactment of this bill would assist the Railroad Commission in meeting its regulatory responsibilities of prescribing fair and reasonable rates for natural gas utilities.

I urgently request your consideration of this emergency matter.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

January 26, 1977

The Honorable William P. Hobby  
Lieutenant Governor  
President of the Senate  
Austin, Texas

The Honorable Bill Clayton  
Speaker of the House of Representatives  
Austin, Texas

Honorable Members of the Legislature  
Austin, Texas

Honorable Lt. Governor, Honorable Speaker, and Honorable Members of the Legislature:

Today I am submitting as an emergency matter the accompanying measure under the provisions of Article III, Section 5, of the Constitution of the State of Texas.

I urge your prompt consideration and enactment of this measure.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

TO THE MEMBERS OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

At the conclusion of the Sixty-Fourth Legislature there were pending several bills to create district courts to serve new judicial districts in the state of Texas. Many problems in judicial administration and in the criminal justice system in Texas today are caused by the clogging of the court dockets of our district courts. In order to alleviate much of the problem, I believe it is necessary to create additional district courts, and realign some existing judicial districts to provide for new courts in some counties already served by district courts.

In my State of the State message, I said I would recommend the creation of additional courts where necessary to improve the administration of justice. A critical need for these courts existed in 1975 and hearings were held in both Houses of the Legislature to consider these. The need remains, and there is now even a more urgent necessity for these courts. Therefore, I submit as an emergency matter pursuant to the provisions of Section 5, Article III of the Constitution of the State of Texas, the following:

1. The enactment of a bill to create twenty-three (23) new judicial districts, and reorganize three (3) existing districts, and to make provisions relative to those courts and the judges and officers thereof. The districts and number of courts in the respective counties recommended are as follows:

1. A district court composed of Angelina County;
2. a district court composed of Atascosa, Frio, Karnes, LaSalle, and Wilson Counties;
3. a district court composed of Collin County;
4. a district court composed of Hamilton, Comanche, and Bosque Counties;
5. a district court composed of Deaf Smith and Oldham Counties;
6. Four (4) district courts in Bexar County;
7. Four (4) district courts in Harris County;
8. Three (3) district courts in Tarrant County;
9. a district court composed of Gray County;
10. a district court composed of Fort Bend County;
11. a district court composed of Smith County;
12. a district court composed of Lubbock County;
13. a district court composed of Midland County;
14. a district court composed of Brazoria County;
15. a district court composed of Montgomery, Grimes, and Brazos Counties, for a total of twenty-three (23) new district courts.

II. The Omnibus court bill needed to accomplish the above would also:

1. Remove Collin County from the 59th Judicial District, leaving only Grayson County in the 59th District;
2. Remove Hamilton, Comanche, and Bosque Counties from the 52nd Judicial District, leaving only Coryell County in the 52nd District;
3. Remove Deaf Smith and Oldham Counties from the 69th Judicial District, leaving Moore, Hartley, Sherman, and Dallam Counties in the 69th District.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

**MESSAGES FROM THE GOVERNOR**

The following Messages from the Governor were read and were referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas  
January 27, 1977

**TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointment to be effective February 1, 1977:

To be a Member of the STATE BANKING BOARD: For a two-year term to expire January 31, 1979: Mr. Sam E. Carter of Temple, Bell County is being reappointed.

To be Commissioner of the TEXAS DEPARTMENT OF LABOR AND STANDARDS: For a two-year term to expire February 1, 1979: Mr. Jackie St. Clair of Austin, Travis County is being reappointed.

To be a Member of the STATE BOARD OF PUBLIC WELFARE: For a six-year term to expire January 19, 1983: Mr. Raul Jimenez of San Antonio, Bexar County is being reappointed.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

**COMMITTEE SUBSTITUTE SENATE BILL 66 ON SECOND READING**

Senator Doggett moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that C.S.S.B. 66 be taken up for consideration at this time:

C.S.S.B. 66, Relating to the power of a court to grant independent administration of a decedent's estate; amending the Texas Probate Code by adding Section 154A and amending Sections 145, 147, 148, and 150, Subsections (g) and (aa) of Section 3, and Subsections (a) and (b) of Section 149A, as amended.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 66 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 66 be placed on its third reading and final passage.



The motion prevailed by the following vote: Yeas 26, Nays 0, Present-Not Voting 1.

Yeas: Aikin, Andujar, Bracklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger, Truan, Williams.

Present-Not Voting: Adams.

Absent: Longoria.

Absent-excused: Jones of Harris, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **SENATE BILL 188 ON SECOND READING**

Senator Williams moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 188** be taken up for consideration at this time:

**S.B. 188**, A bill to be entitled An Act amending Section 13.039 of the Texas Education Code relating to areas of specialization designated in teacher certificates, and declaring an emergency.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 188 ON THIRD READING**

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 188** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent: Longoria.

Absent-excused: Jones of Harris, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent: Longoria.

Absent-excused: Jones of Harris, Ogg, Schwartz.

### LEAVE OF ABSENCE

Senator Lombardino was granted leave of absence for the remainder of today on account of important business on motion of Senator Traeger.

### SENATE BILL 81 ON SECOND READING

Senator Doggett moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 81** be taken up for consideration at this time:

**S.B. 81**, A bill to be entitled An Act relating to exempting intensive review courses designed to prepare students for certified public accountancy tests from the Texas Proprietary School Act; amending Subsection (a), Section 32.12, Texas Education Code, as amended.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

### SENATE BILL 81 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 81** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Absent: Longoria.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 0.

Absent: Longoria.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

### EXECUTIVE SESSION

The President announced that the time had arrived for an Executive Session of the Senate. (Senator McKnight having given Notice on yesterday.)

Accordingly, the President at 11:02 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 11:26 o'clock a.m. today.

Senator McKnight moved confirmation of the nominees reported by the Committee on State Affairs, Sub-Committee on Nominations and considered in Executive Session.

The President asked if there were requests to sever nominees.

There were no requests to sever.

The following nominees were then confirmed by the following vote: Yeas 27, Nays 0.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

#### **NOMINEES CONFIRMED**

To be a Member of the PILOT COMMISSION OF THE SABINE BAR, PASS AND TRIBUTARIES: Captain William F. Fredeman, Jefferson County; Captain C. W. Hubbard, Orange County; Captain W. Sam Monroe, Jefferson County; Captain L. A. Papich, Jefferson County; Mr. William Sexton (deceased), Orange County.

To be a BRANCH PILOT FOR THE SABINE BAR, PASS AND TRIBUTARIES: Captain A. R. Bellgard, Jefferson County; Captain William M. Breese, Jefferson County; Captain D. J. Bromley, Jefferson County; Captain Robert C. Brown, Jefferson County; Captain A. M. Castle, Jr., Jefferson County; Captain Donald C. Ferguson, Jefferson County; Captain Henry H. Guidry, Jefferson County; Captain M. L. Horne, Jefferson County; Captain L. R. Kurtz, Jefferson County; Captain J. M. Lupton, Jefferson County; Captain James O. Meeks, Jefferson County; Captain Wayne H. Parker, Jefferson County; Captain George C. Reeser, Jefferson County; Captain Millard A. Scott, Tyler County; Captain K. L. Selinidis, Jefferson County; Captain J. W. Throgmorton, Jefferson County; Captain L. S. Tibbetts, Jefferson County; Captain A. G. Wortham, Jefferson County.

To be a BRANCH PILOT FOR THE PORTS OF GALVESTON COUNTY: Captain Jack H. Smith, Galveston County; Captain Sherman B. Wetmore, Galveston County.

To be a BRANCH PILOT FOR THE BRAZOS-SANTIAGO PASS, BAR AND TRIBUTARIES: Captain E. S. Drake, Cameron County; Captain Donald F. Willett, Cameron County.

To be a BRANCH PILOT FOR THE PORT OF HOUSTON - HOUSTON SHIP CHANNEL AND GALVESTON BAR: Captain R. E. Adams, Harris County; Captain H. E. Andersen, Harris County; Captain LeRoy Arthur, Harris County; Captain Elmer C. Bell, Harris County; Captain R. D. Bennett, Harris County; Captain J. C. Browning, Galveston County; Captain E. L. Bruce, Harris County; Captain E. L. Burnthorne, Harris County; Captain Don A. Clark, Harris

County; Captain Paul Collie, Harris County; Captain R. R. Faulkner, Harris County; Captain E. C. Garrison, Harris County; Captain H. J. Gibson, Harris County; Captain E. C. Goodwin, Jr., Llano County; Captain J. L. Griffin, Sr., Harris County; Captain F. M. Kershaw, Harris County; Captain C. C. Lary, Jr., Harris County; Captain M. K. Lawson, Fort Bend, Harris, Montgomery Counties; Captain L. A. LeBert, Harris County; Captain T. N. Lightsey, Jr., Harris County; Captain T. E. Longino, Harris County; Captain B. F. Mahaffey, Harris County; Captain E. B. Mercer, Jr., Harris County; Captain L. R. Murray, Jr., Harris County; Captain P. J. Neely, Jr., Harris County; Captain J. B. Niday, Jr., Harris County; Captain W. C. Nixon, Harris County; Captain L. D. Palmer, Harris County; Captain W. B. Parker, Montgomery County; Captain J. W. Pearson, Galveston County; Captain Philip Pizzitola, Harris County; Captain N. W. Ray, Harris County; Captain J. W. Rowland, Harris County; Captain C. A. Schuessler, Harris County; Captain Zane Skinner, Harris County; Captain W. W. Steinhort, Harris County; Captain R. H. Sutton, Harris County; Captain Arthur Tuttle, Jr., Austin County; Captain Jack Vetter, Harris County; Captain J. C. Wall, Harris County; Captain R. L. White, Harris County; Captain J. L. Williams, Harris County; Captain H. B. Willis, Harris County.

To be **BRANCH PILOT FOR THE MATAGORDA SHIP CHANNEL FROM THE LAVACA BAR TO THE PORT OF PORT LAVACA-POINT COMFORT**: Captain Bill R. Butler, Calhoun County; Captain A. T. Gibson, Calhoun County.

To be a Member of the **PUBLIC UTILITY COMMISSION OF TEXAS**: George M. Cowden, Dallas County; Alan Russell Erwin, Harris County; William Garrett Morris, Dallas County.

To be Director of the **OFFICE OF STATE-FEDERAL RELATIONS**: Harry McAdams, Travis County.

To be a Member of the Board of Regents of **TEXAS A&M UNIVERSITY SYSTEM**: H. C. (Dulie) Bell, Travis County.

To be **CRIMINAL DISTRICT ATTORNEY**: Felipe Reyna, McLennan County, for McLennan County.

Appointments until 1976 General Election: A. D. Clark, III, Smith County, for Smith County; C. A. Dickerson, Fort Bend County, for Fort Bend County; Knute L. Dietze, Victoria County, for Victoria County; William M. Rugeley, Hays County, for Hays County; J. Michael Smith, Upshur County, for Upshur County.

To be **DISTRICT ATTORNEY**: Lawrence L. Barber, Jr., Ward County, for 143rd Judicial District; Gerald A. Fohn, Tom Green County, for 51st Judicial District; John R. Hollums, Floyd County, for 110th Judicial District; James H. Keeshan, Jr., Montgomery County, for 9th Judicial District; Charles J. Sebesta, Jr., Burleson County, for 21st Judicial District; The Honorable Tully Shahan, Kinney County, for 63rd Judicial District.

To be **DISTRICT JUDGE**: The Honorable K. Baker, Panola County, for 123rd Judicial District; The Honorable Thomas L. Clinton, Lubbock County, for 99th Judicial District; The Honorable Paul S. Colley, Rusk County, for 4th Judicial District; The Honorable Don G. Humble, Milam County, for 20th Judicial District; The Honorable George Wayne Miller, Floyd County, for 110th Judicial District; The Honorable John L. Placke, Lee County, 21st Judicial District; The Honorable

Peter S. Solito, Harris County, for 208th Judicial District; The Honorable Olin G. Wellborn, Jr., Brazoria County, for 23rd Judicial District; The Honorable Presley E. Werlein, Jr., Harris County, for 165th Judicial District; The Honorable Jack Woodley, Uvalde County, for 38th Judicial District.

To be Chief Justice, COURT OF CIVIL APPEALS: The Honorable Curtiss Brown, Harris County.

To be Associate Justice, COURT OF CIVIL APPEALS: The Honorable George E. Cire, Harris County.

To be Judge, DOMESTIC RELATIONS COURT: The Honorable Bill Elliot, Harris County, for 4th Court of Domestic Relations.

To be Member, COURT OF CRIMINAL APPEALS: The Honorable Thurman M. Gupton, Brazoria County.

To be Associate Justice, SUPREME COURT: The Honorable Ross E. Doughty, Jr., Uvalde County.

#### **COMMITTEE SUBSTITUTE SENATE BILL 250 ON SECOND READING**

Senator Aikin moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **C.S.S.B. 250** be taken up for consideration at this time:

**C.S.S.B. 250**, Relating to the combined tuition to be charged a student registering at two institutions of higher education; amending Chapter 54, Texas Education Code, by adding Section 54.062.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 250 ON THIRD READING**

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 250** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Absent: Moore.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 0.

Absent: Moore.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

#### **SENATE BILL 324 ON SECOND READING**

Senator Snelson moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 324** be taken up for consideration at this time:

**S.B. 324**, A bill to be entitled An Act Authorizing the Texas Employment Commission to exchange certain State-owned land for certain land owned by First National Bank of Midland, of Midland, Midland County, Texas; and declaring an emergency.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 324 ON THIRD READING**

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 324** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Absent: Moore.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 0.

Absent: Moore.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

#### **COMMITTEE SUBSTITUTE SENATE BILL 76 ON SECOND READING**

Senator Adams moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **C.S.S.B. 76** be taken up for consideration at this time:

**C.S.S.B. 76**, Amending Section 6, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended, to exempt motor vehicles loaded with timber and pulp wood from the unloading requirement of Subdivision 1 of said article; and declaring an emergency.

The motion prevailed by the following vote: Yeas 25, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Snelson, Traeger, Truan, Williams.

Nays: Patman.

Absent: Sherman.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 76 ON THIRD READING**

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 76** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Snelson, Traeger, Truan, Williams.

Nays: Patman.

Absent: Sherman.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **RECORD OF VOTE**

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

#### **SENATE BILL 18 ON SECOND READING**

Senator Williams moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 18** be taken up for consideration at this time:

**S.B. 18**, A bill to be entitled An Act relating to displaying the Texas Flag outdoors at night; amending Section 6, Chapter 87, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 6142a, Vernon's Texas Civil Statutes); and declaring an emergency.

There was no objection.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

### **SENATE BILL 18 ON THIRD READING**

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 18** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 0.

Absent: McKnight, Moore, Sherman.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 0.

Absent: McKnight, Moore, Sherman.

Absent-excused: Jones of Harris, Lombardino, Ogg, Schwartz.

### **MEMORIAL RESOLUTIONS**

**S.R. 84** - By Adams: Memorial resolution for The Honorable Davis Bailey.

**S.R. 85** - By Adams: Memorial resolution for W. C. Britton.

**S.R. 88** - By Snelson: Memorial resolution for William H. Wood.

**S.R. 89** - By Brooks: Memorial resolution for former Police Chief Hobson "Buddy" McGill.

### **CONGRATULATORY RESOLUTION**

**S.R. 90** - By Snelson: Extending congratulations to Mrs. C. Gardner Franks.

### **ADJOURNMENT**

On motion of Senator Aikin the Senate at 11:50 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, January 31, 1977.



**In Memory****of****Leonard E. Mohrmann**

Senator Doggett offered the following resolution:

(Senate Resolution 86)

WHEREAS, Citizens of Austin and the entire State of Texas were deeply saddened by the death of Leonard E. Mohrmann on November 5, 1976; Mr. Mohrmann was acting director of the Licensed Beverage Distributors Association at the time of his death; and

WHEREAS, A native of Gonzales, he was graduated with a degree in journalism from the University of Missouri where he met and married Helen Bean, affectionately called "Beanie", who was a faithful and loving wife throughout their exceptionally happy marriage; Mr. Mohrmann served his country as an officer in the United States Navy during World War II; and

WHEREAS, This charming gentleman began a career in journalism as a staff writer for the *Corpus Christi Caller* and the *Corpus Christi Times* and was later a staff writer for the *Austin American-Statesman*; he was a member of Sigma Delta Chi, a communications fraternity, and served as president of the Austin chapter; and

WHEREAS, A well-respected and capable journalist, Mr. Mohrmann was press secretary to Lieutenant Governor Ben Ramsey from 1953 to 1959; he had also served as the director of the Texas Municipal League; and

WHEREAS, He was the longtime assistant director of the Licensed Beverage Distributors Association and, following the death of its director, Mr. Mohrmann became the acting director; and

WHEREAS, Len, as he was called affectionately by his many friends, was known for his honesty in all his personal and business dealings and for his deep loyalty to friends and professional associates; he will be deeply missed by all those who knew and loved him; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature of the State of Texas pay tribute to the exemplary life of service of Leonard E. Mohrmann and extend sympathy on their great loss to the members of his family: to his wife, Mrs. Helen Mohrmann of Austin; his daughter, Helen Toevs Mohrmann of Austin; his sons, Lieutenant Kelly Bean Mohrmann of Wiesbaden, Germany, and Leonard Mohrmann, Jr., of Bryan; and his sister, Mrs. George T. Briggs of Houston; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of his immediate family, and that when the Texas Senate adjourns this day, it do so in memory of Leonard E. Mohrmann.

DOGGETT  
MOORE  
McKNIGHT

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.